
By: **Delegates Hixson, Bozman, C. Davis, Healey, Howard, Marriott, and
Patterson**

Introduced and read first time: January 26, 2004

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Transportation Authority - Transportation Facilities Projects -**
3 **Tolls**

4 FOR the purpose of requiring the Maryland Transportation Authority to provide
5 certain information to certain committees of the General Assembly in a certain
6 manner and by a certain time prior to fixing or revising tolls on any
7 transportation facilities project; prohibiting the Authority from establishing and
8 fixing tolls on any new transportation facilities project without the approval of
9 the Board of Public Works; and generally relating to toll charges authorized by
10 the Maryland Transportation Authority.

11 BY repealing and reenacting, without amendments,
12 Article - Transportation
13 Section 4-101(a) and (i)
14 Annotated Code of Maryland
15 (2001 Replacement Volume and 2003 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article - Transportation
18 Section 4-312
19 Annotated Code of Maryland
20 (2001 Replacement Volume and 2003 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article - Transportation**

24 4-101.

25 (a) In this title the following words have the meanings indicated.

26 (i) "Transportation facilities project" includes:

1 (1) The Susquehanna River Bridge, the Harry W. Nice Memorial
2 Potomac River Bridge, the William Preston Lane, Jr. Memorial Chesapeake Bay
3 Bridge and parallel Chesapeake Bay Bridge, the Baltimore Harbor Tunnel, the
4 Francis Scott Key Bridge, and the John F. Kennedy Memorial Highway, together with
5 their appurtenant causeways, approaches, interchanges, entrance plazas, toll
6 stations, and service facilities;

7 (2) A vehicle parking facility located in a priority funding area as defined
8 in § 5-7B-02 of the State Finance and Procurement Article;

9 (3) Any other project for transportation facilities that the Authority
10 authorizes to be acquired or constructed; and

11 (4) Any additions, improvements, or enlargements to any of these
12 projects, whenever authorized.

13 4-312.

14 (a) (1) Notwithstanding the provisions of § 20 of Section 3 and § 16 of
15 Section 4 of Chapter 608 of the Acts of the General Assembly of 1976, tolls may be
16 continued to be charged on the John F. Kennedy Expressway and any project
17 constructed under the provisions of § 3 (bridge, tunnel, and motorway revenue bonds)
18 of Chapter 608 of the Acts of the General Assembly of 1976.

19 (2) As to all or any part of any transportation facilities project, the
20 Authority may:

21 (i) Fix, revise, charge, and collect rentals, rates, fees, tolls, and
22 other charges and revenues for its use or for its services; and

23 (ii) Contract with any person who desires its use for any purpose
24 and fix the terms, conditions, rentals, rates, fees, tolls, or other charges or revenues
25 for this use.

26 (b) The rentals, rates, fees, tolls, and other charges and revenues designated
27 as security for any bonds issued under this subtitle shall be fixed and adjusted from
28 time to time, either with respect to a particular transportation facilities project or in
29 respect of the aggregate of the charges and revenues from other transportation
30 facilities projects under the control of the Authority, as may be specified by law or in
31 any applicable resolution or trust agreement, so as to provide funds that, together
32 with any other available revenues, are sufficient as long as the bonds are outstanding
33 and unpaid to:

34 (1) Pay the costs of maintaining, repairing, and operating the
35 transportation facilities project or projects financed in whole or in part by one or more
36 series of outstanding and unpaid bonds, to the extent that payment is not otherwise
37 provided;

38 (2) Pay the principal of and the interest on these bonds as they become
39 due and payable;

1 (3) Create reasonable reserves that are anticipated will be needed for
2 these purposes; and

3 (4) Provide funds for paying the cost of replacements, renewals, and
4 improvements.

5 (c) (1) Except as otherwise provided in this subsection, the rentals, rates,
6 fees, tolls, and other charges and revenues are not subject to supervision or regulation
7 by any instrumentality, agency, or unit of this State or any of its political subdivisions.

8 (2) This subtitle does not permit the exercise of any power or the
9 undertaking of any activity that would conflict with the provisions and limitations of
10 the federal Urban Mass Transportation Act of 1964.

11 (3) Tolls for the use of the bridge carrying the John F. Kennedy Memorial
12 Highway over the Susquehanna River may not be less than the comparable tolls
13 charged for the use of the Susquehanna River Bridge.

14 (4) AT LEAST 60 DAYS BEFORE FIXING OR REVISING TOLLS ON ANY PART
15 OF ANY TRANSPORTATION FACILITIES PROJECT, THE AUTHORITY SHALL PROVIDE, IN
16 ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE SENATE
17 BUDGET AND TAXATION COMMITTEE, SENATE FINANCE COMMITTEE, HOUSE
18 APPROPRIATIONS COMMITTEE, AND HOUSE WAYS AND MEANS COMMITTEE
19 INFORMATION ON THE PROPOSED TOLL CHARGES, INCLUDING:

20 (I) THE ANNUAL REVENUES GENERATED BY THE TOLL CHARGES;

21 (II) THE PROPOSED USE OF THE REVENUES; AND

22 (III) THE PROPOSED COMMUTER DISCOUNT RATES.

23 (5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
24 AUTHORITY MAY NOT ESTABLISH AND FIX TOLLS ON ANY PART OF A NEW
25 TRANSPORTATION FACILITIES PROJECT WITHOUT THE APPROVAL OF THE BOARD OF
26 PUBLIC WORKS.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 July 1, 2004.